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ANAT HAKIM, (to be admitted *pro hac vice*)

Attorneys for Defendant The Rockefeller University, a New York not-for-profit corporation,

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

Ligand Pharmaceuticals Incorporated, a  
Delaware corporation,

Plaintiff,

vs.

The Rockefeller University, a New York  
not-for-profit corporation,

Defendant.

Case No: 08-CV-401 BEN (WMc)

**DECLARATION OF ANAT HAKIM IN  
SUPPORT OF DEFENDANT THE  
ROCKEFELLER UNIVERSITY'S  
MOTION TO DISMISS, OR IN THE  
ALTERNATIVE, STAY THIS ACTION**

Judge: Roger T. Benitez

Date: April 14, 2008

Time: 10:30 a.m.

Dept: Courtroom 3

I, Anat Hakim, declare as follows:

1. I am an attorney licensed to practice before all courts of the State of New York and am employed by the law firm of Foley & Lardner LLP, attorneys of record for defendant, The Rockefeller University. I have personal knowledge of the matters asserted herein and, if called as a witness to testify, I could and would competently testify to the matters stated herein.

2. Attached hereto as Exhibit "1" is a true and correct copy of the Summons and Complaint in *The Rockefeller University v. Ligand Pharmaceuticals, Inc.*, Case No. 08/600638, which was filed in the Supreme Court of the State of New York in the County

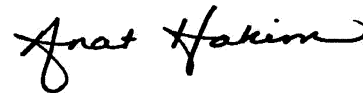
1 of New York on March 4, 2008 at 9:02 a.m. EST.

2 3. Attached hereto as Exhibit "2" is a true and correct copy of the September  
3 30, 1992 License Agreement between Ligand Pharmaceuticals Incorporated and The  
4 Rockefeller University.

5 3. Attached hereto as Exhibit "3" is a true and correct copy of the complaint  
6 filed in this action by Ligand Pharmaceuticals Incorporated against The Rockefeller  
7 University in the United States District Court, Southern District of California, on March  
8 4, 2008 at 8:33 a.m. PST..

9 4. Attached hereto as Exhibit "4" is a true and correct copy of a New York  
10 Secretary of State Record I printed from Lexis-Nexis showing that Ligand  
11 Pharmaceuticals Incorporated is registered to do business in the State of New York.

12 5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the  
13 foregoing is true and correct. I executed this Declaration on this 11th day of March, 2008  
14 at 4:00 p.m., in Jupiter, Florida.

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19 Anat Hakim  
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1 Dated: March 11, 2008

FOLEY & LARDNER LLP  
KENNETH S. KLEIN

4 By:

KENNETH S. KLEIN  
Attorneys for Defendant The Rockefeller  
University, a New York not-for-profit  
corporation

1 **PROOF OF SERVICE**

2 I am employed in the **County of San Diego, State of California**. I am over the age of 18  
3 and not a party to this action; my current business address is **402 W. Broadway, Suite 2100, San Diego, CA 92101-3542**.

4 On **March 11, 2008**, I served the foregoing document(s) described as: **Notice of Party With Financial Interest** on the interested parties in this action as follows:

5 **BY THE FOLLOWING MEANS:**

6 I placed a true copy thereof enclosed in sealed envelope(s) addressed as follows:

7 Darrell Olson  
8 KNOBBE, MARTENS, OLSON & BEAR  
9 LLP  
2040 Main Street, Fourteenth Floor  
Irvine, CA 92614  
Phone: (949) 760-0404  
10 Facsimile: (949) 760-9502

Joseph M. Reisman Ali S. Razai  
KNOBBE, MARTENS, OLSON &  
BEAR, LLP  
550 West C Street, Suite 1200  
San Diego, CA 92101  
Phone: (619) 235-8550  
Facsimile: (619) 235-0176

11  
12 **BY MAIL**

13 I am readily familiar with the firm's practice of collection and processing  
14 correspondence for mailing with the United States Postal Service; the firm  
15 deposits the collected correspondence with the United States Postal  
16 Service that same day, in the ordinary course of business, with postage  
thereon fully prepaid, at **San Diego, California**. I placed the envelope(s)  
for collection and mailing on the above date following ordinary business  
practices.

17 **BY FACSIMILE**

18 I transmitted the document(s) by facsimile transmission from a facsimile  
19 transmission machine, at **San Diego, California**, with the telephone  
20 number, **619.234.3510**, to Click and Type Name whose facsimile  
transmission telephone number is Click and Type Number .

21 The facsimile transmission was reported as complete without error by a  
22 transmission report, issued by the facsimile transmission machine upon which  
the transmission was made, immediately following the transmission.

23 **BY HAND DELIVERY**. I delivered the envelope(s) **by hand** to addressee(s).

24 Executed on **March 11, 2008**, at **San Diego, California**.

25 I declare that I am employed in the office of a member of the bar of this  
26 court at whose direction the service was made.

27 

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Martha X. Zarate